

REMARKS

Applicant thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and for confirming receipt of the certified copy of the priority document submitted November 3, 2003.

Applicant further thanks the Examiner for considering the references cited in the *Information Disclosure Statements* filed November 3, 2003 and May 3, 2005.

Status of the Application

Claims 1-20 are all the claims pending in the Application, with claims 12-20 being newly added. Claims 1-3, 7 and 8 stand rejected.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 4-6 and 9-11 would be allowed if rewritten in independent form. However, Applicant respectfully requests that the Examiner hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection based on the following remarks.

Specification Objection

The Examiner has objected to the Specification based on various informalities. The informalities noted by the Examiner are hereby corrected as suggested by the Examiner. Thus, withdrawal of this objection is respectfully requested.

Claim Objections

The Examiner has objected to claims 3-5 and 7-11 due to alleged informalities. With the exception of the alleged informality discussed below, Applicant has amended the claims to overcome this objection.

Regarding the objection to the recitation of multiple lenses, Applicant submits that this recitation is correct, and is consistent with the specification including the drawing figures. For example, in the exemplary embodiments, a first lens (*e.g.*, transparent member 20 in FIG. 7) is provided as part of the light emitting device itself, and a second lens (*e.g.*, projection lens 30) is provided as part of the overall headlamp assembly. Nevertheless, to be perfectly clear and in order to avoid any possible confusion, Applicant hereby amends the claim set to specify a “lens” (*e.g.*, the projection lens 30) and a “device lens” (*e.g.*, transparent member 20).

Applicant respectfully submits that the amendments discussed above are strictly editorial, and not for reasons of patentability. Thus, no estoppel should apply.

Accordingly, Applicant respectfully requests withdrawal of this objection.

Anticipation Rejection

The Examiner has rejected claims 1-3, 7 and 8 under 35 U.S.C. § 102(e) as being anticipated by *Chen et al.* (US 6,520,669; hereinafter “*Chen*”). This rejection is respectfully traversed.

Independent Claim 1

The Examiner contends that all of the features of independent claim 1 are disclosed by *Chen*, in FIGS. 7-10. Applicant respectfully disagrees, and submits that *Chen* fails to teach or

suggest at least "... a semiconductor light-emitting device comprising at least one semiconductor light-emitting element for forming a first illuminating beam and at least one semiconductor light-emitting element for forming a second illuminating beam ...".

Specifically, with the 20/20 vision of hindsight, the Examiner characterizes *Chen*'s light emitting devices 84 and 94 as a single "semiconductor light-emitting device", but this is not how the reference itself describes these devices. Rather, *Chen* specifically discloses that each of the devices 84 and 94 of *Chen* are themselves "light-emitting devices" – nowhere does *Chen* describe or suggest a semiconductor light-emitting device as claimed. Applicant respectfully submits that there is no teaching or suggestion in *Chen* that would support a reading of: (1) two of these discrete light-emitting devices 84 and 94 as being a single "light emitting device;" or (2) either of the discrete light-emitting devices 84 and 94 as having anything but single light-emitting elements. Thus, Applicants respectfully submit that *Chen* fails to teach or suggest any particular single "semiconductor light-emitting device" with multiple light-emitting elements as claimed.

Thus, Applicant respectfully submits that independent claim 1 is patentable over *Chen*.. Further, claims 2 and 3 are believed to be allowable at least by virtue of their dependency.

Moreover, Applicant respectfully submits that *Chen* fails to teach or fairly suggest claim 3's recitation that "... each of said light-emitting elements has a horizontally elongated shape, extending in a horizontal direction orthogonal to an optical axis of said light-emitting device." Specifically, *Chen* discloses circularly-shaped lighting elements 84 (see FIG. 7) and 132 (see FIG. 12), not horizontally elongated lighting elements.

Independent Claim 7

The Examiner contends that all of the features of independent claim 7 are disclosed by *Chen*, in FIGS. 7-10. Applicant respectfully disagrees. *Chen* fails to teach or suggest at least: (1) "... a semiconductor light-emitting device comprising at least one semiconductor light-emitting element for forming a first illuminating beam and at least one semiconductor light-emitting element for forming a second illuminating beam ..." for the reasons discussed above with respect to independent claim 1; and (2) "... a device lens enveloping each of said light-emitting elements ..." and that "... each of said light-emitting elements are mounted at a position offset from an optical axis of said device lens ...", as discussed in more detail below.

Specifically, regarding FIGS. 9 and 10 of *Chen*, while the headlight substrate 80 therein includes cover 82 and individual TIR lenses 100 on each light emitting device 84, this illustrated structure (and the accompanying description) fails to disclose or suggest in any way: (1) that cover 82 has any particular optical axis; and (2) that any individual light-emitting elements in light emitting devices 84 are arranged at any particular position *vis-à-vis* optical axes of lenses 100.

Thus, Applicant respectfully submits that independent claim 7 is patentable over *Chen*. Further, claim 8 is believed to be allowable at least by virtue of its dependency. Moreover, claim 8 is believed to be separately patentable at least for the same reasons discussed above with respect to claim 3.

Thus, Applicant respectfully requests that the Examiner withdraw the anticipation rejection for the reasons described above.

New Claims

Claims 12-20 are hereby added. These claims are believed to be fully supported by the original application including the drawing figures. Moreover, these claims are believed to be clearly allowable.


Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-20 are allowable. Thus, it is respectfully requested that this application be passed to issue with claims 1-20 at the earliest possible time.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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